

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROCEP LUSOL HOLDINGS LIMITED,	)	
Plaintiff/Counterclaim Defendant,	)	
	)	
v.	)	Civil Action No. 05-141-*** (MPT)
	)	
PERMATEX, INC., and ULTRAMOTIVE	)	
CORPORATION,	)	
Defendants/Counterclaimants.	)	

**JOINT SUBMISSION OF STATUS REPORT**

Pursuant to the Court's Order dated 18 December 2006, counsel for Plaintiff submits, on behalf of the parties, the following Joint Status Report.

**Case type:** This is a case involving claims of patent infringement and invalidity.

**Status:** Discovery in this case is complete. A Joint Proposed Final Pretrial Order was submitted by the parties on December 4, 2006 (DI No. 84) Proposed Jury Instructions, Voir Dire and Special Verdict Forms were due to filed on December 13, 2006, and a Pretrial Conference was scheduled for December 18, 2006. These dates were canceled by the Court on December 13, 2006, after Defendants had already filed their Proposed Jury Instructions and Special Verdict Form. Trial dates were previously set for January 22-26, 2007. These trial dates were canceled by the Court in its December 18<sup>th</sup> order. There are no other dates scheduled in this case.

**Outstanding Order on Claim Construction:** The parties' briefings on claim construction were completed on July 28, 2006. DI Nos. 47, 53, 57, 58, 61, 67, 68, 71, 72 and 80. On August 15, 2006, the parties appeared before Judge Jordan for a hearing on claim construction. Judge Jordan heard argument from both sides. The Court has not, yet, issued its Order on Claim Construction.

**Outstanding Motions:**

Summary Judgment Motions:

*Infringement:* Briefing completed August 4, 2006. DI Nos. 55, 56, 59, 62-66, 76 and 77.

*Invalidity:* Briefing completed August 4, 2006. DI Nos. 51, 52, 54, 70, 72, 74 and 75.

*Noninfringement:* Briefing completed August 4, 2006. DI Nos. 48-50, 60, 69, 72 and 73.

On August 15, 2006, the parties appeared before Judge Jordan for a hearing on these Summary Judgment Motions. Judge Jordan heard argument from both sides. The Court has not, yet, ruled on any of these Summary Judgment Motions.

Motions in Limine:

Pursuant to the Scheduling Order, the following motions in limine were submitted as part of Pretrial Order on December 4, 2006, DI No. 84:

*Motion To Limit Testimony and Evidence on Invalidity;*

*Motion to Limit to Preclude Testimony and Evidence on Unenforceability; and*

*Motion in Limine to Limit Opinion Testimony of Christian Scheindel.*

No rulings have been made on these motions in limine.

**Mediation/Settlement:** The parties previously participated in a mediation. No other mediation is scheduled in this case. The parties have independently discussed settlement, but no agreement has been reached.

Respectfully submitted,  
ROCEP LUSOL HOLDINGS LIMITED

Dated: January 8, 2007

BY: /s/ David P. Primack  
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